

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAEDEN MONK,

Plaintiff,

-against-

Docket No.: EF003173-2022

NOTICE OF REMOVAL

KLLM TRANSPORT SERVICES, LLC and TYRIK
DASHAUN MASTERS,

Defendants.
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**TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK, WHITE PLAINS BRANCH**

Petitioners KLLM TRANSPORT SERVICES, LLC and TYRIK DASHAUN MASTERS hereby remove this action from the Supreme Court of the State of New York, County of Orange, to the United States District Court for the Southern District of New York, White Plains Branch.

1. A civil action has been filed against Petitioners in the Supreme Court of the State of New York, County of Orange, entitled Jaeden Monk v. KLLM Transport Services, LLC and Tyrik Dashaun Masters, Index Number EF003173-2022. A copy of the Summons and Complaint is annexed as Exhibit “A”.

2. Defendants/Petitioners received notice of commencement of the state court action no earlier than June 13, 2022. This Petition is, therefore, timely filed within thirty (30) days after receipt of the Complaint pursuant to 28 U.S.C. § 1446(b)(3)(1).

3. The above described action is one in which this Court has original jurisdiction under the provisions of 28 U.S.C. §1332, and is one which may be removed to this Court by Petitioner herein pursuant to the provisions of 28 U.S.C. §1332(a)(2) and (c)(1) and

28 U.S.C. §1441 in that it is a civil action between a plaintiff who is a citizen of New York State, a corporate defendant that is incorporated and has its principal places of business in a state other than New York, and an individual defendant who is a citizen of a state other than New York. Based on a representation made to me by plaintiff counsel, the amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

4. At the time of the commencement of this action, and as of the date of filing of this Petition:

- (a) Upon information and belief, and based on allegations in plaintiff's Complaint (Exhibit "A") plaintiff Jaeden Monk is a resident of Ulster County, NY;
- (b) Defendant KLLM Transport Services, LLC is a limited liability company organized and existing under the laws of the state of Texas, with its principal place of business located at 135 Riverview Drive, Richland, MS 39218; and
- (c) Defendant Tyrik Dashaun Masters is a resident of the state of Mississippi, with a home address of 2025 Military Ave., Vicksburg, MS 39180.

5. Plaintiff Jaeden Monk alleges in his Complaint that he sustained personal injuries, and other damages, arising from a motor vehicle accident on August 9, 2021, when the vehicle that he was driving collided with a tractor-trailer owned by defendant KLLM Transport Services, LLC and operated by their employee, defendant Tyrik Dashaun Masters. Plaintiff alleges that the collision was caused by the negligence of the defendants in the ownership and operation of the tractor-trailer. Plaintiff seeks recovery in an amount not specified in his Verified Complaint. However, in a telephone conference with plaintiff counsel Patrick S. Owen, Esq., I was advised that the amount that plaintiff seeks as compensation in this matter exceeds \$75,000. Thus, this matter meets the jurisdictional minimum amount in controversy required for removal to this court.

6. The United States District Court for the Southern District of New York includes Orange, County, where the action has been filed. Therefore, this action is properly removed to the Southern District of New York, White Plains Branch, pursuant to 28 U.S.C. §§ 112(a) and 1441(a).

7. Defendants/Petitioners will promptly file a copy of this Petition in the Supreme Court of the State of New York, County of Orange, and will serve a copy to plaintiff counsel, in accordance with 28 U.S.C. §1446(d).

WHEREFORE, Defendants/Petitioners respectfully request that this action be removed from the Supreme Court of the State of New York, County of Orange to this Court.

Dated: July 11, 2022
New York, New York

STRONGIN ROTHMAN & ABRAMS, LLP



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